

Remarks

1. Specification Request

The Office Action mailed 4/3/2009 requested identification of support in the specification that the threads are time sharing or not time sharing. Both terms appear in specification in the originally filed claims. Additionally, the specification (page 23, last paragraph), describing figure 12, states "[i]f threads X, Y, and Z are in different microengines, then each thread may proceed without context switching relative to each other". Prior sections describe how context switching occurs to threads in the same microengine (e.g., pages 6 and 7).

2. Claim Rejections 35 U.S.C. s. 112

In response to the Office Action, Attorney for Applicants has amended claim 13.

The Office Action rejected claims 16 and 17 as not understood, in particular, how they relate to the parent independent claim. Claim 16 recites how the first and second thread recited in claim 15 collectively handle state information while claim 17 recites additional instructions that can be provided by the article recited in claim 15. Attorney for Applicant notes that claim 16 and 17 have been pending for numerous (more than 10) Office Actions and the Examiner only now rejected the claims on this ground. The Examiner is reminded that an Office Action should reject each claim on all valid grounds available instead of prolonged "piecemeal examination" (see 707.07(g)).

3. Claim Rejections 35 U.S.C. s. 103

The Office Action rejected claims 7 and 15 under 35 U.S.C. 103 as unpatentable over Kahle (USP 6,212,542) in view of Belkin (USP 6,373,848). In particular, claim 7 recites "processing a first portion of the network packet ... using a first thread ... to move the first portion ... to a first location in memory ... and simultaneously processing a second portion of the network packet using a second thread ... to move the second portion of the network packet to a second location in the memory". The Office Action states that Kahle provides these limitations. The Office Action, however, does not state

what in Kahle is being equated with the first or second portions of the network packet or what in Kahle describes the simultaneous processing of these portions by the threads. Under 37 CFR 1.104 (see MPEP 707), "when a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be clearly designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained". The Examiner's rejection has omitted essential elements needed for a prima facie rejection and accordingly, Attorney for Applicant respectfully requests withdrawal of the rejection of claim 7 and its corresponding dependent claims.

Claim 15 recites instructions to cause a processor to process a first portion of a data packet using a first thread ... and process a second portion of the data packet using a second thread". The Office Action does not state what in Kahle is being equated with the first or second portions of a data packet. The Examiner's rejection has omitted essential elements needed for a prima facie rejection and accordingly, Attorney for Applicant respectfully requests withdrawal of the rejection of claim 15 and its corresponding dependent claims.

The Office Action also rejected claim 8-11, 13, and 14 as merely consisting of non-functional descriptive material. The MPEP (section 2106.01) describes non-functional descriptive material as including "music, literary works and a compilation or mere arrangement of data". Attorney for Applicants does not understand the limitations of these claims as falling into these sample categories of non-functional descriptive material or like ones, nor does the Office Action articulate the reasoning leading to this conclusion. Accordingly, Attorney for Applicant respectfully requests withdrawal of these rejections.

Respectfully submitted,

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